

**STATE OF RHODE ISLAND
DEPARTMENT OF CHILDREN, YOUTH AND FAMILIES**

PUBLIC NOTICE OF PROPOSED RULE-MAKING

In accordance with Rhode Island General Law (RIGL) 42-35 and 42-72-5, notice is hereby given that the Department of Children, Youth and Families proposes to amend the following DCYF rule:

Confidentiality: Access to Computerized Information Maintained by the Department

In compliance with good practice in child welfare, children's behavioral health, and juvenile justice this amended rule clarifies acceptable use of Department issued hardware and soft ware with respect to confidentiality and access to computerized information by department staff. In the amendment of this rule, consideration was given to the following: (1) alternative approaches and (2) overlap or duplication with other statutory and regulatory provisions. No alternative approach or duplication or overlap was identified based upon available information.

This amended rule is accessible on the DCYF website (<http://www.dcyf.ri.gov>) or the R.I. Secretary of State's website (<http://www.sec.state.ri.us/ProposedRules/>) or available in hard copy upon request (401-528-3641). Interested persons should submit data, views or written comments by September 1, 2011, to Sarah St. Jacques, Department of Children, Youth and Families, 101 Friendship Street, Providence, RI 02903 (Sarah.St.Jacques@dcyf.ri.gov).

In accordance with RIGL 42-35-3, an oral hearing will be granted if requested by twenty-five (25) persons, by an agency or by an association having at least twenty-five (25) members. A request for an oral hearing must be made within thirty (30) days of this notice.

Confidentiality: Access to Computerized Information Maintained by the Department

Rhode Island Department of Children, Youth and Families

Policy: 100.0015

Effective Date: Sept. 15, 1986 Revised:

Version: 21

~~The Department of Children, Youth, and Families maintains a primary computer data base, the Rhode Island Children's Information System (RICHIST). This computer system is designed to enable staff to obtain timely, up to date, and accurate case information and to track the child's progress and activity throughout the Department. This system also enables the Department to more accurately project client needs and plan future services through confidential, computer-generated statistical and management reports.~~

~~Because protecting the confidentiality of the children, youth and families served by the Department is of paramount importance, all state and federal law and policies regarding confidentiality are fully applicable to use of Departmental computers and information systems, paper or electronic.~~ The Department has an ethical and a legal responsibility to maintain confidentiality regarding client information and to safeguard ~~this~~ information contained in RICHIST or any computerized or electronic record from unauthorized or unnecessary disclosure. The Department, therefore, ~~has instituted various procedures to~~ limit access to ~~such~~ computerized information ~~maintained by the Department~~ to those individuals who have a need and a right to know ~~such data~~. The Department ~~also~~ requires that each employee who has access to computerized confidential client information sign a Confidentiality Pledge ~~(DCYF #119)~~ in RICHIST annually.

Related Procedure

Access to Computerized Information Maintained by the Department

Related Policy

Rhode Island Children's Information System (RICHIST)
Computer Use

Access to Computerized Information Maintained by the Department

Procedure from Policy 100.0015: Confidentiality: Access to Computerized Information Maintained by the Department

- A. The Rhode Island Children's Information System (RICHIST) in utilized in conformance with DCYF Policy 700.0100, Rhode Island Children's Information System (RICHIST).:
- ~~1. RICHIST is a computerized data and tracking system designed primarily as a central repository of information regarding children and families currently or previously serviced by the Department:~~
 - ~~a. Most information stored in RICHIST may be shared across divisional lines.~~
 - ~~b. Client information entered in RICHIST is available to any authorized inquirer by means of Video Display Terminals located throughout the Department.~~
 - ~~c. The Department also stores certain other information in RICHIST (e.g. payroll records, personnel data) to which access is strictly limited.~~
 - ~~d. RICHIST has printout capability to provide select individuals with confidential statistical and management reports outlining and analyzing data in the RICHIST data base.~~
 2. B. Direct access to the RICHIST data base is limited to individuals those employees of the Department who have been assigned a password, who have accepted a confidentiality pledge annually and who have a need and a right to know such data:
 - a. 1. This unique password allows individuals employees assigned to a case entry capability while others have inquiry ability.
 - b. 2. All employees assigned a password shall have signed a Confidentiality Pledge (DCYF #119) Staff do which specifies that they shall not divulge this password to anyone.
 - ~~c. Based on the limits of the password assigned, employees will have access to select information within the RICHIST data base:~~
 - ~~—— (1) ——— The RICHIST computer has the capacity and the programming to maintain a wide variety of information, both client centered and management oriented.~~
 - ~~—— (2) ——— Employees shall only have access to that information in RICHIST to which they have a need and a right to know.~~
 - ~~3. Each authorized employee will have access to RICHIST information.~~
 4. C. Agency policy mandates that employees shall not disclose ~~c~~ Confidential information, which includes data retrieved from RICHIST, is not disclosed without proper authorization.
- ~~B. RICHIST also is a centralized computer intake and information system designed to effectively and efficiently control and monitor the flow of child abuse and neglect reports:~~
 - ~~1. RICHIST provides investigators with instantaneous information on previous child abuse and neglect reports and can monitor and track the progress of current investigations.~~
 - ~~2. RICHIST has printout capabilities to provide select individuals with confidential statistical and management reports outlining and analyzing data in the RICHIST data base.~~
- G. D. Any data maintained in Department personal computers or reports generated by these computers, if directly or indirectly based on specific client information, must be kept confidential.